

## REMARKS

Claims 1-7 are currently pending in this application. In this Office action response, claims 1 and 5 have been amended. No claims have been canceled and no new claims have been added. Claims 2-4, 6, and 7 have not been amended.

Claims 1-7 are pending in the subject application. Claims 1-7 are rejected.

First, claim 5 is objected to because of an informality. Claim 5 has been amended to correct this informality.

Next, claims 1-5 are objected to due to the appearance of the phrase "in place of" in claim 1. Claim 1 has been amended to remove the phrase.

Third, claims 1-7 are rejected under 35 U.S.C. §102(b) as being anticipated by the Grim et al. United States patent 4,996,979. Applicant respectfully traverses the rejection.

Grim et al. is directed to a soft goods type foldable, wrappable sleeve orthopedic cast that immobilizes and conforms to the shape and configuration of a limb, or other body part. The cast comprises a single sleeve as shown in drawing figures 1-15, and described in the Specification.

Applicant's claim 1 is directed to a split comprising a first sleeve and a second sleeve. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Here, Grim et al. does not disclose each and every element of the claimed split because there is no teaching or suggestion of a second sleeve. Accordingly, it is submitted that claim 1 is not anticipated by Grim et al., and Applicant respectfully requests that the rejected of claim 1 under 35 U.S.C. §102(b) be withdrawn.

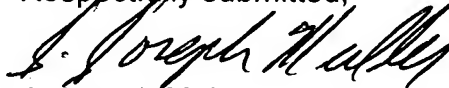
Claims 2-7 depend from claim 1, and therefore, include all of the subject matter of claim 1. It is submitted for the above reasons that claim 1 is not anticipated by Grim et al. It is likewise submitted that claims 2-7 are not

anticipated by Grim et al. Therefore, it is respectfully requested that the rejection of claim 2-7 under 35 U.S.C. §102(b) be withdrawn.

Applicant believes that the arguments asserted and the amendments presented herein place the application in condition for allowance. If the present amendments and arguments do not place the application in condition for allowance, the Examiner is respectfully requested to contact the Applicant's undersigned attorney by telephone at (314) 238-2400.

*May 5, 2004*

Respectfully submitted,



J. Joseph Muller

Polster, Lieder, Woodruff & Lucchesi, L.C.

Registration No.: 28,450

12412 Powerscourt Drive, Suite 200

Saint Louis, MO 63131-3615

314-238-2400

314-238-2401 (fax)